

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

SB 351 - HB 591

March 24, 2011

SUMMARY OF BILL: Requires a doctor or pharmacist-generated prescription for the sale of non-exempt products containing an immediate methamphetamine precursor. Extends the current prohibition on sale of any non-exempt product containing an immediate methamphetamine precursor to apply to pharmacist-generated prescription orders of the product. Requires, instead of authorizes, that the electronic record be maintained in the form of a pharmacist-generated prescription order. Requires the pharmacist, pharmacy technician, or pharmacy intern to submit the distribution information to the National Precursor Log Exchange (NPLEx). Requires a pharmacy to maintain a written record keeping system in the event the pharmacy cannot access the electronic tracking system. Requires the information from the NPLEx system to be provided to law enforcement at no charge. Protects a pharmacy from being held civilly liable as a result of any act or omission in carrying out the requirements of this section.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- NPLEx system is available to pharmacies without a charge for accessing or using the system.
- Training for all pharmacies on the use of the system will be provided at no cost by January 1, 2012.
- According to the Department of Health, rulemaking and any resulting disciplinary action against pharmacies that violate the provisions of this section can be accomplished during regularly scheduled Board of Pharmacy meetings and will not result in a significant increase in state expenditures.
- Pursuant to Tenn. Code Ann. § 4-3-1011, all health-related boards are required to be self-supporting over a two-year period. The Board had a balance of \$74,641.74 in FY09-10 and a deficit of \$59,776.49 in FY08-09. As of June 30, 2010, the Board's cumulative balance was \$276,649.24.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director

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